WP(C) 2810/2007
BEFORE
HON'BLE JUSTICE B.K. SHARMA

Heard the learned counsel for the petitioners as well as Ms. R. Chokraborty, learned State counsel appearing for the respondent No. 2. Also heard Ms. M. Gogoi, learned S.C., Education Department as well as Mr. Gogoi, learned S.C., Finance Department. As prayed for by the learned counsel for the parties, the writ petition is disposed of by the following order:

The petitioners are the wives of late Md. Abdus Sattar Mollah who died on 09.08.06. He was serving as Assistant Teacher in Baraibari M.E. School in the District of Dhubri. From the materials on record, it appears that both the wives have been nominated to receive the pensionary and other retirement benefits. Since both the wives have agreed to share the pensionary and other retirement benefits in equal shares, I dispose of the writ petition with a direction to the respondents that they shall disburse the pensionary and other retirement benefit of the deceased to his wives in equal shares. The pension payment order shall be issued in the name of the elder wife, who in turn shall disburse 50% of the same to the second wife. The respondents shall ensure the payment of pensionary and other retirement benefits to the petitioners in equal shares.

With the above directions, writ petitions is disposed of.